# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/676,811 | 09/30/2003 | Thomas Chadzelek | 09700.0055-00 | 3078 |

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| EXAMINER |
|---|
| AUGUSTINE, NICHOLAS |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2179 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 01/10/2008 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/676,811 | CHADZELEK ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | Nicholas Augustine | 2179 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>17 October 2007</u>.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

A.    This action is in response to the following communications: Request for

Continued Examination filed: 10/17/2007. This action is made **non-final**.

B.    Claims 1-15 remain pending.

C.    Objections made in the previous action are withdrawn due to amendment.

D.    Claim Rejections under 35 U.S.C. 101 are withdrawn due to amendment.

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### *Continued Examination Under 37 CFR 1.114*

E.    A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection.  Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.  Applicant's submission filed on

10/17/2007 has been entered.

### *Claim Rejections - 35 USC § 102*

1.    The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3,7-9 and 13-15 rejected under 35 U.S.C. 102(b) as being anticipated

by Karp et al ("Windows XP in a Nutshell" – 4/2002).

Note: Supplemental screen captures are included with the resulting functions and action
as taught by Karp.

Note: Supplemental references are provided to depict what was commonly known in the
art of Windows XP as taught by Karp.

A.  (http://www.delphi3000.com/articles/article_1667.asp?SK=)

B.  (http://en.wikipedia.org/wiki/Container_(data_structure)#Graphic_Containers)

C.  (http://en.wikipedia.org/wiki/Windows_shell)

**As for independent claims 1,7 and 13**, Karp teaches a method for navigating user

interface elements, the method and corresponding computer program product and

system comprising: grouping user interface elements of a user interface of a computer

program application into groups based on a hierarchical arrangement of the user

interface elements, the hierarchical arrangement allowing for sibling groups and parent

groups; and detecting a user navigation input comprising a sibling navigation input or a

parent navigation input, the sibling navigation input comprising a first group identifier

key press, and the parent navigation input comprising a second group identifier key

press; if the detected navigation input is the sibling navigation input, shifting input focus

to a next sibling group in the hierarchy; and if the detected navigation input is the parent

navigation input, shifting input focus to a parent group in the hierarchy (pg.557,par.2;

pg.559 (Alt-Tab(+Tab)); pg.558 (Alt-x); and screen captures figures 2-3. As seen in

figure two when the user presses ALT on the keyboard this navigation control

corresponds to the first group of control elements as indicated by under scoring letters

of controls (file, edit, insert, format, tools, window, help) therefore the ALT key is

correlated with a group identifier to relate to the group of controls. The ALT key being

that of the parent navigation control where ALT is combined with a letter (X) that

corresponds to a control UI element. A sibling navigation key being an arrow key on the

keyboard to navigation control UI elements inside of a group of controls. The second

group identifier is defined when the user selects a parent control from the parent group,

for example when the user presses the key combination ALT+T it is identified with the

control group that consist of the control elements (Spelling and grammar, language,

word count, auto summarize, etc...) thus making a group identifier as indicated by the

figure and explained by Karp (pages 557-558). So in summarization Karp teaches of

navigational controls wherein parent navigational controls when activated are identified

as having a group of sibling control UI elements and sibling navigational controls, which

are identified by the parent navigational control groups. Thus therefore when the user

activates a parent control to display sibling control group the group identification is

evident or else a random menu or crossed menus (file control is activated and tools

sibling group is displayed) would be displayed if there were not any identification means

included.).


As for dependent claims 2,3,8,9,14 and 15, Karp teaches the method of claim 1, further

comprising: creating one or more hierarchical tab chains to contain all user interface

elements currently displayed by the application, wherein a node in a tab chain hierarchy

is a container comprising one or more user interface elements and the container

comprises a tab chain that contains all the user interface elements in the container

(Windows XP places graphical user interface elements in containers; derived from page

37; screen captures, figure 2); creating a new view creates a view container with a

hierarchical tab chain that contains all the user interface elements for the new view

(when the user activates the control keystroke the graphical user interface element

display panel is activated from the operating system as shown in figure 2); and the

hierarchical tab chain for the new view is added to the existing tab chain by adding a

new node for the new view container in the existing hierarchical tab chain (when the

user opens a new application an icon indicative to the corresponding application is

added to figure 2 display element).

3.      Claims 4-6 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated

by Microsoft Excel 2002 version 3.0.6926 SP-3).

***As for independent claims 4 and 10***, Microsoft teaches a computer implemented

method for navigating editable cells of a table, the method comprising: detecting a user

navigation input comprising a forward navigation input or a backward navigation input,

the forward navigation input comprising first group identifier key press and backward

navigation input comprising a second group identifier key press; if the detected user

navigation input is the forward navigation key, shifting input focus to a next editable cell

of the table; and if the detected navigation input is the backward navigation input,

shifting input focus to a previous editable cell of the table (fig.3; wherein the user

presses keyboard keys to navigate through editable cells. As seen in figure two when

the user presses ALT on the keyboard this navigation control corresponds to the first

group of control elements as indicated by under scoring letters of controls (file, edit,

insert, format, tools, window, help) therefore the ALT key is correlated with a group

identifier to relate to the group of controls. The ALT key being that of the parent

navigation control where ALT is combined with a letter (X) that corresponds to a control

UI element. A sibling navigation key being an arrow key on the keyboard to navigation

control UI elements inside of a group of controls. The second group identifier is defined

when the user selects a parent control from the parent group, for example when the

user presses the key combination ALT+T it is identified with the control group that

consist of the control elements (Spelling and grammar, language, word count, auto

summarize, etc...) thus making a group identifier as indicated by the figure and

explained by Karp (pages 557-558). So in summarization Karp teaches of navigational

controls wherein parent navigational controls when activated are identified as having a

group of sibling control UI elements and sibling navigational controls, which are

identified by the parent navigational control groups. Thus therefore when the user

activates a parent control to display sibling control group the group identification is

evident or else a random menu or crossed menus (file control is activated and tools

sibling group is displayed) would be displayed if there were not any identification means

included.).

As for dependent claims 5,6,11 and 12, Microsoft teaches the method of claim 4, further

comprising: switching the editable cell to the edit mode, if a switch-cell-mode key is

pressed while an editable cell currently having input focus is not in an edit mode;

wherein user input modifies content of the editable cell, if the editable cell is in the edit

mode; switching the editable cell to a focus mode, in which the content of the editable

cell cannot be modified, if a switch-cell-mode key is pressed while the editable cell

currently having input focus is in the edit mode (fig.4; wherein the user selects the

editable cell and presses the locked option to make the cell non-editable).

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**(Note:)**     It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and
any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it
contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In
re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158
USPQ 275, 277 (CCPA 1968)).

### Response to Arguments

Applicant's arguments filed 10/17/2007 have been fully considered but they are

not persuasive.

A1.    Applicant argues that Karp (Karp teaches the use of Windows XP in

general) does not teach a sibling navigation input, which includes a first group identifier

key press. The Applicant believes that Windows XP does not have group identifiers

which the Examiner asserted in the previous action.

R1.    After careful review of the amended limitations along with the remaining

limitations previous presented the Examiner does not agree with the Applicant in the

aspect that Windows XP as commonly known in the art exhibits and makes use of

identifiers. The Examiner provides additional references which exhibit what was

commonly known in the art (http://www.delphi3000.com/articles/article_1667.asp?SK=),

herein referred to as "Delphi", to support the Examiners assertion that group identifiers

are commonly known and widely used in the art, especially in that of Windows XP which

is taught by Karp. As what is commonly known in the art and is explained throughout

the entire reference of Karp is the navigation and use of Windows XP, in such that focus

is brought upon a parent control ("Tools" figure 3 of "Microsoft Windows XP Operating

System" screen shot reference handout) for navigation using predefined controls for

navigation. As explained in Karp on pages 558, 560, 562 and 563 parent navigation

controls are defined to navigate between parent controls (by using the left and right

arrows on the keyboard; only the parent controls are accessed by using these keys, no

other controls are accessed (child controls in particular are inaccessible through the left

and right arrow keys). The user can then use child navigation input controls (up and

down arrows as discussed by Karp on pages 558, 560, 562 and 563 for navigation of

child controls only, by inputting with up and down arrow keys only child navigation

controls are selected. Thus focus is on a graphical container ("Tools"), which includes

(when activated upon) a plurality of child controls associated with the parent control

("Tools") as what is commonly known in the art is that the containers (which are all

objects ("Tool" menu button along with (e.g. File, Edit, View, Spelling and Grammar...

Language, Word Count..., etc) of the graphical user interface (Windows Shell)

(http://en.wikipedia.org/wiki/Container_(data_structure)#Graphic_Containers and

http://en.wikipedia.org/wiki/Windows_shell ) wherein the containers, objects, etc are all

uniquely identified (as exhibited by Delphi). Thus the group associated with the parent

control "Tools" are in a container (as rendered to the display (figure 3) with an identifier

associated with that container (as exhibited by Delphi) thus forming a group, therefore

"group identifier". Therefore when the user has input focus on a Parent or Child control

list basic navigation using predetermined keys (up/down or left/right arrow of the

keyboard) provide parent and sibling navigation input, which include a second group

identifier key press and a first group identifier key press, respectively.


### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.
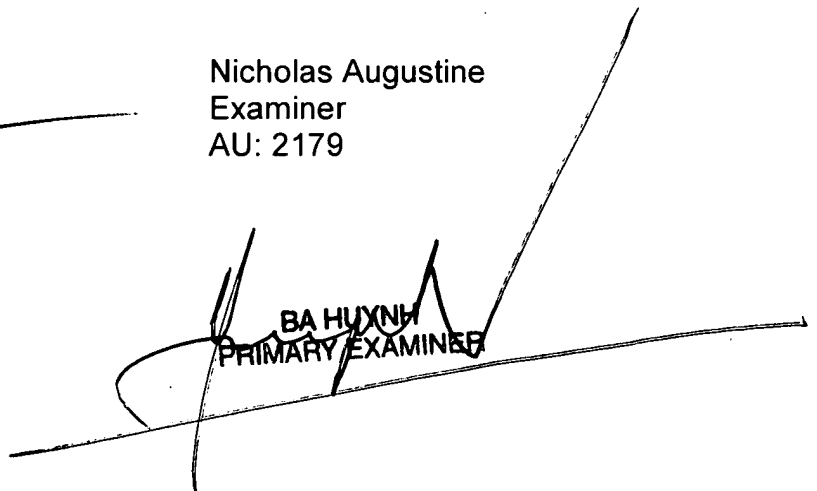
## *Inquires*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N. Augustine
January 3, 2008

Nicholas Augustine
Examiner
AU: 2179

BA HUYNH
PRIMARY EXAMINER